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| Interview Summary | Application No. | Applicant(s) | |
| | 10/812,776 | MUIR, DAVID F. | |
| | Examiner | Art Unit | |
| | Vera Afremova | 1657 | |

All participants (applicant, applicant's representative, PTO personnel):

- (1) Vera Afremova. (3) Mike Wityshyn.
 (2) Yvonne Eyler. (4) Steven Frank
 (5) Daniel Wilson.

Date of Interview: 11 October 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: all.

Identification of prior art discussed: all.


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The definitions of the terms "predegeneration conditions" and/or "culturing a nerve tissue segment in vitro under predegenerating conditions that remodel the nerve tissue graft and that increase the neurite-promoting activity of the nerve tissues-graft when the nerve graft is in use" have been discussed. Applicants argue that the meaning of this term is clear in view of the specification and meaning in the art. Specifically, applicants argues that "predegeneration conditions" are that conditions when cellular and molecular mechanisms act to enhance the growth-promoting properties of the basal lamina which would retains the ability to stimulate nerve regeneration after cellular elements have been killed. (Specification, page 7, lines 21-24.) Applicants believe that the culturing conditions of the claimed invention allow the living nerve cells to express chondroitin sulfate proteoglycan-degrading enzymes (CSPG-degrading enzymes) and promote Schwann cell proliferation, as would occur naturally in vivo during the remodeling process of nerve degeneration. (Specification, page 27, lines 20-23.)

However, these definitions are very broad. It also appears as argued that the "predegeneration conditions" are those that provide for remodeling of nerve tissue and that the remodeling of nerve tissues is obtained under "predegeneration conditions". Thus, the applicants' definitions are circular and they do not clearly point out any specific parameters for the culture conditions during culturing steps and/or they do not clearly point out any active steps as encompassed by "culturing" step.

Considering the broadest definitions for culturing under predegeneration conditions, it would be reasonably to assume that the viable cells in vitro would inherently provide for the same effects as viable cells in vivo to at least to some extend just by the virtue being living or viable. .